

## AMENDMENT TRANSMITTAL LETTER

Attorney Docket No. MAKO 2 00017

Serial No.: 08/756,257	Filing Date: November 25, 1996	Examiner: R. SMITH
Group Art Unit: 3737 Confirmation: 2922	Invention: <b>TOOL POSITION INDICATOR</b>	

To the Commissioner For Patents:

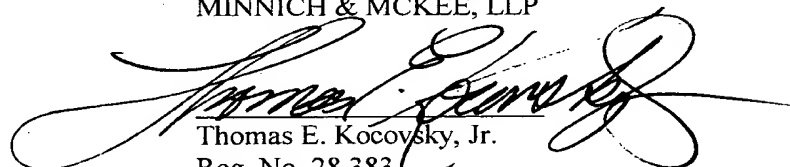
Transmitted herewith is a **REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS; STATEMENT UNDER 37 CFR 3.73(b); and RCE, PRELIMINARY AMENDMENT FOR RCE, AND ONE-MONTH EXTENSION OF TIME** in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	19	Minus	47	-	\$ 50	\$ 0.00
Indep. Claims	9	Minus	9	-	\$200	\$ 0.00

- ☒ An additional fee of \$ 120.00 is due for a One-Month Extension of Time. Payment is authorized to be charged to a Credit Card. The applicants enclose an appropriate form PTO-2038 for this purpose.
- ☒ An additional fee of \$ 790.00 is due for the Request for Continued Examination (RCE). Payment is authorized to be charged to a Credit Card. The applicants enclose an appropriate form PTO-2038 for this purpose.
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308. A duplicate copy of this sheet is enclosed.
- ☒ Applicants hereby request any additional extensions of time that may be necessary and authorize the extension of time fees to be charged to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLPDate: 30 Dec 2005

  
Thomas E. Kocovsky, Jr.  
Reg. No. 28,383  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, Ohio 44114-2518  
(216) 861-5582

CERTIFICATE OF MAILING

I hereby certify that these **AMENDMENT TRANSMITTAL LETTER (x2); REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS; STATEMENT UNDER 37 CFR 3.73(b); and RCE, PRELIMINARY AMENDMENT FOR RCE, AND ONE-MONTH EXTENSION OF TIME** in connection with U.S. Patent Application Serial No. 10/062,842 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop: RCE, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5<sup>th</sup> day of January, 2006.

By: Kelary McNulty



PTO/SB/82 (04-05)

Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	08/756,257
	Filing Date	11/25/1996
	First Named Inventor	J. SCHELLENBERG
	Art Unit	3737
	Examiner Name	R. SMITH
	Attorney Docket Number	MAKO 2 00017 (Prior 4204.7-1)

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

027885

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

027885

OR

☒ Firm or  
Individual Name Thomas E. KOCOVSKY, Jr., FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

Address 1100 SUPERIOR AVENUE, SEVENTH FLOOR

City CLEVELAND State OHIO Zip 44114-2579

Country US

Telephone (216) 861-5582 Email TKocovsky@faysharpe.com

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature

Name David L. Ahlersmeyer, Vice President for BIOMET MANUFACTURING CORP.

Date JANUARY 4 2006 Telephone (574) 372-1647

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of TWO forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: **SCHELLENBERG**Application No./Patent No.: **08/756,257** Filed/Issue Date: **11/25/1996**Entitled: **TOOL POSITION INDICATOR****BIOMET MANUFACTURING CORP.**, a **Corporation (State of Indiana)**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is **50** %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: **John SCHELLENBERG** To: **PICKER INTERNATIONAL, INC.**

The document was recorded in the United States Patent and Trademark Office at  
Reel **8339**, Frame **0264**, or for which a copy thereof is attached.

2. From: **Marconi Medical Systems, Inc. f/k/a** To: **Z-KAT, INC.**  
**Picker International, Inc.**

The document was recorded in the United States Patent and Trademark Office at  
Reel **012831**, Frame **0608**, or for which a copy thereof is attached.

3. From: **Z-KAT, INC.** To: **BIOMET MANUFACTURING CORP. (50%)**


The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
\_\_\_\_\_  
Signature

**David L. Ahlersmeyer, Esq.**

Printed or Typed Name

**JANUARY 4, 2006**  
\_\_\_\_\_  
Date

**(574) 372-1647**

Telephone Number

**Vice President for BIOMET MANUFACTURING CORP.**

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



2901 simms street hollywood, florida 33020 tel 954.927.2044 fax 954.927.0446 zkat@z-kat.com www.z-kat.com

### CONFIRMATORY ASSIGNMENT

This is to confirm that an undivided fifty percent (50%) interest in the patent listed on Attachment I was on October 22, 2004 and hereby is assigned to Biomet Manufacturing Corp. of 56 East Bcll Drive, Warsaw, Indiana 46582.

Z-KAT, Inc.

By: 

Fritz LaPorte

Chief Financial Officer

ATTACHMENT 1

U.S. Patent Application

Filed

Title

08/756,257

November 25, 1996

**TOOL POSITION  
INDICATOR**



PTO/SB/92 (04-05)

Approved for use through 11/30/2005. OMB 0651-0036

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	08/756,257
Filing Date	11/25/1998
First Named Inventor	J. SCHELLENBERG
Art Unit	3737
Examiner Name	R. SMITH
Attorney Docket Number	MAKO 2 00017 (Prior 4204.7-1)

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

027885

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

027885

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Thomas E. KOCOVSKY, Jr., FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP			
Address	1100 SUPERIOR AVENUE, SEVENTH FLOOR			
City	CLEVELAND	State	OHIO	Zip 44114-2579
Country	US			
Telephone	(216) 861-5582	Email	TKocovsky@faysharpe.com	

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

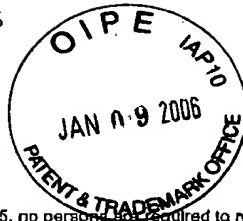
Signature			
Name	Menashe Frank, Esq., General Counsel, Z-KAT, Inc.		
Date	29 DEC 05	Telephone	(954) 927-2044

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of TWO forms are submitted.

This collection of information is required by 37 CFR 1.38. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/86 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: **SCHELLENBERG**Application No./Patent No.: **08/756,257** Filed/Issue Date: **11/25/1996**Entitled: **TOOL POSITION INDICATOR****Z-KAT, INC.**a **Corporation (State of Florida)**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is **50** %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: **John SCHELLENBERG** To: **PICKER INTERNATIONAL, INC.**

The document was recorded in the United States Patent and Trademark Office at  
Reel **8339**, Frame **0264**, or for which a copy thereof is attached.

2. From: **Marconi Medical Systems, Inc. f/k/a  
Picker International, Inc.** To: **Z-KAT, INC.**

The document was recorded in the United States Patent and Trademark Office at  
Reel **012831**, Frame **0608**, or for which a copy thereof is attached.

3. From: **Z-KAT, INC.** To: **BIOMET MANUFACTURING CORP. (50%)**

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

**Menashe Frank, Esq., Z-KAT, INC.**

Printed or Typed Name

**General Counsel**

Title

**29 DEC 05**

Date

**(954) 927-2044**

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



2901 simms street hollywood, florida 33020 tel 954.927.2044 fax 954.927.0446 zkat@z-kat.com www.z-kat.com

### CONFIRMATORY ASSIGNMENT

This is to confirm that an undivided fifty percent (50%) interest in the patent listed on Attachment I was on October 22, 2004 and hereby is assigned to Biomet Manufacturing Corp. of 56 East Bell Drive, Warsaw, Indiana 46582.

Z-KAT, Inc.

By: \_\_\_\_\_

Fritz LaPorte

Chief Financial Officer



## ATTACHMENT 1

U.S. Patent Application

08/756,257

Filed

November 25, 1996

Title

**TOOL POSITION  
INDICATOR**